

FEDERAL COMMUNICATIONS COMMISSION Washington, D. C. 20554 AUG 1 8 2003

OFFICE OF MANAGING DIRECTOR

Herbert R. Bivens Chief Officer UTC Longdistance, LLC Post Office Box 207 Chapel Hill, TN 37034

> Re: FY 2000 Regulatory Fee Fee Control No. 00000RROG-03-036 Bill No. 2001-9-0373

Dear Mr.Bivens:

This is in response to your request dated January 22, 2001, filed on behalf of UTC Longdistance LLC (UTC) for abatement of late penalties associated with the fiscal year (FY) 2000 regulatory fees for UTC. Our records reflect that UTC's \$329.89 regulatory fee was date stamped by the Mellon Bank for receipt by the Commission on November 20, 2000, but that we have not yet received the late payment penalty of \$82.47.

In support of your request, you explain that at the time the fees were due, UTC's original filing of its FCC Form 499S indicated UTC did not owe any Universal Service fee. We assume you also are indicating that, as such, UTC did not believe it owed any regulatory fees, which in your case, along with Universal Service fees, are also based on FCC Form 499S. In revising your FCC Form 499S on September 29, 2000, you determined that you owed a regulatory fee of \$329.89, which you then submitted with your Remittance Advice FCC Form 159.

While we understand that you were permitted to revise your FCC Form 499S until January 29, 2001, regulatory fees for FY 2000 were due by September 22, 2000. The Communications Act of 1934, as amended, requires the Commission to assess a late payment penalty of 25 percent on any regulatory fee not paid in a timely manner. It is the obligation of the licensees responsible for regulatory fee payments to ensure that the Commission receives the fee payment no later than the final date on which regulatory fees are due for the year. We find that UTC did not meet its obligation to file its regulatory fee to be timely received by the Commission by September 22, 2000, the last date for payment of FY 2000 fees. We therefore deny your request for rescission of the late payment penalty for late payment of the fiscal year 2000 regulatory fee.

Herbert R. Bivens 2.

A late payment fee in the amount of \$82.47 for FY 2000 is now due. The fee must be filed, together with a copy of Bill No. 2001-9-0373, within 30 days from the date of this letter. If you have any questions concerning this matter please contact the Revenue and Receivables Operations Group at (202) 418-1995.

Sincerely,

Mark A. Reger

Chief Financial Officer

Enclosure:

Copy of Bill #2001-9-0373



00000RRQU-03-034

January 22, 2001

Mr. Tom Putman, Accountant Federal Communications Commission 445 12th Street Washington, DC 20554

Re: Assessment of Penalty on Regulatory Fees UTC Long Distance LLC ID # 817236

Dear Mr. Putman:

Based on our original filing of the 499S, UTC LongDistance did not owe Universal Service fees. In reviewing our records, we realized that the form should be revised. A Revised Form 499S was submitted on September 29, 2000 well before the refilling date of January 31, 2001. Our calculation based on the revised form indicated an amount due of \$329.89. We also completed Remittance Advice Form 159 and issued check number 1239 for this amount.

We respectfully request the penalty of \$82.47 on Bill Number 2001-9-0373 (copy attached) be abated. We feel that we have made every effort to complete reports in a timely manner and remitted payment when we determined that one was due without waiting to be assessed.

We appreciate your consideration of this request.

Sincerely,

Herbert R. Bivens Chief Officer

RECEIVED OCT 1 0 2002

Federal Communications Commission BILL FOR COLLECTION

FOR INQUIRIES CALL 1-202-418-1995 (Revenue/Receivables Operations)

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FEDERAL COMMUNICATIONS COMMISSION Washington, D. C. 20554

OFFICE OF MANAGING DIRECTOR

UTC Long Distance LLC P.O. Box 207 Chapel Hill, TN 37034

Re: ID# 817236

Dear Licensee:

This letter is notice that you were late paying your 2000 annual regulatory fee(s). Payment of regulatory fees was due to the Federal Communications Commission (FCC) by midnight, September 22, 2000. Your fee payment of \$ 329.89 was received on Nov. 20, 2000.

In accordance with Section 9 [47 USC 159(c)(1)], a 25 percent late penalty in the amount of \$82.47 has been assessed Unless you can show just cause why the penalty is inapplicable, payment is due within 20 days from the date of this letter.

Payment should be sent to the Federal Communications Commission, Regulatory Fees, P.O. Box 358835, Pittsburgh, PA 15251-5835, along with a copy of the enclosed billing invoice.

If you have any documentation that will establish that the fee was remitted and received at Mellon Bank by September 22. 2000, such as a carrier dated receipt, please include this documentation with you response so that we can clear your record(s).

You are cautioned that failure to respond and/or pay the penalty will subject you to further sanctions as defined in 47 CFR. Section 1.1164 of our Rules. These sanctions include subjecting the delinquent payer's pending applications to dismissal, and may require a delinquent payer to show cause why any existing instruments of authorization should not be revoked. Further sanctions include interest charges, and the full cost of collection to the Federal government pursuant to Section 3720A of the Internal Revenue Code, 31 USC 3717, and the provision of the Debt Collection Act. 31 USC 3717.

If you have any questions, you may contact my office at (202) 418-1995.

Sincerely,

Susan A. Donahue, Chief

Revenue and Receivables Operations Group

Enclosure



November 17, 2000

Federal Communications Commission Regulatory Fees P. O. Box 358835 Pittsburgh, PA 15251-5835

Re: FCC Universal Service Contribution

Filer ID # 817236

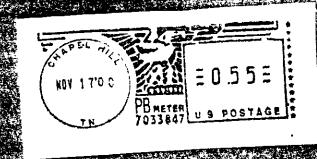
Dear Sir or Madam:

Based on our original filing of the 499 S, UTC LongDistance did not owe Universal Service fees. We recently filed a revised form. Based on this filing we calculate a fee of \$329.89. Check number 1239 for this amount is attached to this letter along with Form 159.

If you have any questions, please contact me at 931/364-4321.

Sincerely,

Herbert R. Bivens Chief Officer



CCURELLOS VIN 20 000

Rederal Communications Commission Regulatory Fees P. O. Box 358835 Pittsburg. PA 15251-5835

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